

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Marc E. Schalk,

Plaintiff,

v.

Case No. 10-13894

Hon. Nancy G. Edmunds

Commissioner of Social Security,

Defendant.

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ORDER ACCEPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

This matter has come before the Court on the Magistrate Judge's Report and Recommendation. Being fully advised in the premises and having reviewed the record and the pleadings, including Defendant's Objections if any, the Court finds that the Magistrate reached the correct conclusion in the Report and Recommendation. Accordingly, the Court hereby ACCEPTS AND ADOPTS the Magistrate Judge's Report and Recommendation. It is further ordered that Plaintiff's motion for summary judgment is GRANTED, and Defendant's motion for summary judgment is DENIED. Pursuant to sentence four of 42 U.S.C. § 405(g), this matter is hereby REMANDED to the ALJ to comply with the procedural requirements of the treating source rule.

s/Nancy G. Edmunds

Nancy G. Edmunds

United States District Judge

Dated: September 22, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 22, 2011, by electronic and/or ordinary mail.

s/Carol A. Hemeyer

Case Manager